

REMARKS

A. Status of the Claims

Claims 1-54 were examined. Claims 1, 5-7, 12, 16, 18, 22, 24, 26, 27, 30, 31, 33, and 43 have been amended. Claims 3, 19, 25, 29, and 32 have been canceled without prejudice to being pursued at a later time. No new matter has been added. After entry of these amendments, claims 1, 2, 4-18, 20-24, 26-28, 30, 31 and 33-54 will be pending.

B. Examiner Interview

Applicant thanks Examiner Sotelo for speaking with Applicant's representative, Mark Garrett, on May 24, 2005. The indefiniteness rejections were discussed.

C. The Indefiniteness Rejections Are Overcome

The Office rejects claim 3, 5, 6-11, 16 and 22 as being indefinite. The Office asserts that the alternative language in claims 3 and 6 makes them and their dependent claims indefinite. The Office also asserts that the "rotation-restriction opening" language in claims 5, 10, 16 and 22 is indefinite because "the claims do not define what does the opening restrict from rotating."

Applicant has amended claim 1 to import the claim language of claim 3 (which was not rejected over the prior art), and has replaced the alternative language with the "at least one of substantially flat and bowed inwardly" at Examiner Sotelo's suggestion. The "at least one of" language is not narrower than the original alternative language. Applicant submits that claims 1, 2 and 4 are not in condition for allowance.

Applicant has amended claims 5, 16 and 22 to make each an independent claim. Applicant defines the term "rotation-restriction opening" in the specification at page 18, line 19 – page 19, line 3. The term "rotation-restriction opening" is definite in light of at least this cited

portion of the specification. Applicant submits that claims 5, 16 and 22 are therefore definite and now in condition for allowance.

Applicant amended claims 6 and 7 to replace the alternative language with “at least one of substantially flat and bowed inwardly” at Examiner Sotelo’s suggestion. The “at least one of” language is not narrower than the original alternative language. Applicant submits that claims 6-11 are now in condition for allowance.

D. The Obviousness Rejections Are Overcome

The Office rejects claims 1, 2, 4, 12-15, 17-21, 23-31, 39, 43, 44 and 50 as being obvious over McCullough (USPN 704,358) in view of Kennison (USPN 1,385,487). Applicant traverses.

Claims 1, 2 and 4 are patentable for the reasons given above.

Claim 12 has been amended to recite that the claimed arm is pivotally coupled to a frame that is pivotally coupled to a watercraft-lifting system. Neither McCullough nor Kennison teach or suggest pivotally coupling the claimed arm to a frame that is pivotally coupled to a watercraft-lifting system. Accordingly, claims 12-15 and 17 are patentable over the asserted combination.

Claim 18 has been amended to incorporate the claim language of claim 19 (which has been canceled), such that claim 18 now recites that the claimed arm is configured to contact a watercraft hull with a first surface that is non-rolling **and with a second surface that is non-rolling**. While section A of McCullough’s bilge block includes one non-rolling surface, it does not include a second non-rolling surface that contacts a watercraft hull, nor is such a second surface suggested by either reference. In contrast, float arm 10 shown in FIG. 1 of the present application is a non-limiting example of an arm that includes two non-rolling surfaces (inside end top surface 16 and outside end top surface 18). Accordingly, claims 18, 20, 21 and 23 are patentable over the asserted combination.

Claim 24 has been amended to recited that the claimed pair of float arms are pivotally coupled to a frame that has a bar to which one of the float arms is pivotally coupled, the bar being long enough for at least two float arms to be pivotally coupled to the bar. Non-limiting examples of such a bar include bar 210 of frame 200 shown, for example, in FIGS. 11 and 12 and of frame 400 shown, for example, in FIG. 15, and front bar 460 of frame 400. These non-limiting examples of the claimed bar have the claimed length. In contrast, pin K that is threaded through section A of McCullough's bilge block does not have the claimed length, nor is such a bar suggested by either reference. Accordingly, claims 24 and 26 are patentable over the asserted combination.

Claim 27 has been amended in the same way as claim 24, and is patentable—along with dependent claims 28 and 30—over the asserted combination for the same reason.

Claim 31 has been amended to incorporate the claim language of objected to claim 32, and is now allowable, as are dependent claims 33-42. The word “configured” that follows the claim language “a second float arm” in claim 31 was deleted to correct an inadvertent error in the original claim.

Objected to claim 43 has been amended to place it in independent form. Thus, claims 43-54 are now all in allowable form.

E. Conclusion

Applicant respectfully submits that claims 1, 2, 4-18, 20-24, 26-28, 30, 31 and 33-54 are in condition for allowance. Should Examiner Sotelo have any questions, comments, or suggestions relating to this application, he is invited to contact Applicant's attorney at (512) 536-3031 in an effort to narrow any perceived patentability issues and advance prosecution as quickly as possible.

Respectfully submitted,



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Date: June 9, 2005